

January 21, 2010

Paul E. Stacey
Department of Environmental Protection
Bureau of Water Protection and Land Reuse
Planning & Standards Division
79 Elm Street
Hartford, CT 06106-5127



Dear Mr. Stacey,

Thank you for the opportunity to testify on the Department's draft Stream Flow regulations. On behalf of the Middlesex County Chamber of Commerce, which represents over 2,400 businesses employing over 50,000 people, I testify in opposition to the Department's draft Stream Flow regulations. The Chamber is very concerned with the impact these regulations will have on our member businesses, property owners and municipalities in Middlesex County.

If the Stream Flow regulations are implemented in their current form, they will negatively impact the business community by increasing costs and creating service disruptions while hampering economic development. In particular, we believe the stream flow regulations will:

- Lead to Potential Moratoriums on Construction and Economic Development
- Significantly Increase Water-related Business Costs
- Contribute to Increased Property Taxes
- Result in Public Water Supply Deficits
- Impose Frequent and Lengthy Water Use Restrictions on Customers
- Divert Resources Away from Needed Infrastructure Improvements

As noted above, we believe these Stream Flow regulations will unnecessarily burden water utilities, permitted diversions and registered diversions with very little benefit to the environment, but at a great cost to these entities as well as industrial, commercial and residential end users. It is particularly troubling that the Department appears to have overstepped its authority provided in Public Act 05-142. Specifically, we understand Public Act 05-142 allowed for the Department to regulate all streams and rivers, not those just stocked with fish, but the legislature did not intend for the Department to regulate wells and groundwater and the reopening of all registered diversions.

The Stream Flow regulations as presented are a solution looking for a problem. Based on our knowledge, the Department has identified 21 impaired rivers or streams due to water diversions or groundwater withdrawals. This represents less than ½ of 1% of all the rivers and streams in the state. Why not focus your attention on these problem areas rather than incorporating the rivers and streams that have sufficient flows?

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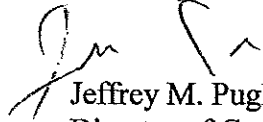
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Awards: Governor's Laurel Award for Responsible Social Involvement, President's White House Citation for Private Sector Initiatives
U.S. Department of Labor LIFT America Award, Connecticut Small Business Advocate Award, Vision 2000 Excellence Award
NAACP Business Award

Also, the process of implementing the regulations and establishing the criteria is flawed. Adopting the regulations before adopting the classifications is putting the cart before the horse. Another aspect that is unsettling is that there is no appeal process for the classifications. We recommend that the Department reconstitute the stakeholder working group, establish the classifications first, institute an appeal process and then re-propose the regulations.

Again, the Middlesex Chamber opposes the Department's draft stream flow regulations and urges the Department to consider our recommendations. Thank you again for the opportunity to testify.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Jeffrey M. Pugliese', is written over the printed name.

Jeffrey M. Pugliese
Director of Government Affairs
Middlesex County Chamber of Commerce